

82
87-196-SPH

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

Petitioner's position that the jacuzzi bath, bathroom, guest house and passage ways of 45 feet and 58 feet sought to be constructed

Petitioner's neighbor on the east side of Petitioner's property. (See Addendum to Petition for Special Hearing)
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____

Legal Owner(s):
THE HARLAN COMPANY OF MARYLAND, INC.
(Type or Print Name)
By: Leonard M. Harlan
Signature _____
Address _____
City and State _____

Attorney for Petitioner:
Jeffrey H. Scherr
(Type or Print Name)
Signature _____
Kramon & Graham, P.A.
Sun Life Building, Charles Center
Address _____
Baltimore, Maryland 21201
City and State
Attorney's Telephone No.: (301) 752-6030

c/o Kramon & Graham, P.A. (301) 752-6030
Address _____
Sun Life Building, Charles Center
Baltimore, Maryland 21201
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Jeffrey H. Scherr
Name _____
Kramon & Graham, P.A.
Sun Life Building, Charles Center
Address _____
Baltimore, Maryland 21201
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of September, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of November, 1986, at 1:30 o'clock P.M.

Arnold Jablon
Zoning Commissioner of Baltimore County.

(over)

ADDENDUM TO PETITION FOR SPECIAL HEARING

accordance with the variance sought by Petitioner for Zoning Variance in Case No. 87-48-A, do not constitute a "dwelling" and therefore will not cause the Residential Transition Area on Petitioner's property to be moved 48 feet to the west of Petitioner's property, causing Petitioner a loss of approximately 10,000 square feet of buildable land, as shown on the Plan to Accompany Special Hearing filed simultaneously and made a part hereof.

The Petitioner intends to develop its property in accordance with DR-16 zoning designation as a high-rise luxury condominium/apartment building. If the Residential Transition Area is altered as aforesaid, it will render such development impracticable.

In the alternative, assuming arguendo that the neighboring improvements would constitute a dwelling and, therefore, that the variance sought by Petitioner's east side neighbor in Case No. 87-48-A is granted, then Petitioner's position would be that because that development and Petitioner's development of its property is proceeding simultaneously, the neighboring development should not have any impact in the Residential Transition Area of Petitioner's property.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner _____ Date: November 5, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-194-A and 87-196-SPH

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:sib

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 13, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Jeffrey H. Scherr, Esquire
Kramon & Graham, P.A.
Sun Life Building, Charles Center
Baltimore, Maryland 21201

RE: Item No. 82 - Case No. 87-196-SPH
Petitioner: The Harland Company of Maryland, Inc.
Petition for Special Hearing

Dear Mr. Scherr:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comments that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: D.S. Thaler & Associates, Inc.
11 Warren Road
Baltimore, Maryland 21208



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

OCTOBER 17, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 2, 1986
Item #82
Property Owner: THE HARLAN CO. OF MD, INC.
Location: (HALL PROPERTY)
N/S SLADE AVE. 714' E. OF REISTERSTOWN RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____
- () The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

October 3, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 81, 82, 83, 84, and 85.

Very truly yours,

Michael S. Flahigan
Michael S. Flahigan
Traffic Engineer Associate II

MSF:lt

ORDER RECEIVED FOR FILING

Date 7-30-87
By 5 Jack Calk

Z.C.O.-No. 1

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of September, 1986.

Arnold Jablon
Zoning Commissioner

Petitioner: The Harland Co. of Md., Inc.
Petitioner's Attorney: Jeffrey H. Scherr, Esquire
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

September 2, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: The Harlan Company of Md., Inc. (Halle Property)

Location: N/S Slade Avenue, 714' E of Reisterstown Road

Item No.: 82

Zoning Agenda: Meeting of 9/2/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: John F. O'Neill Noted and Approved:
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Chairperson Date: September 2, 1986

FROM: G. E. Burdette, Chief, Building Plans Review C. S. D.

SUBJECT: Zoning Advisory Committee Meeting
Scheduled 9/2/86

Item #69	Standard Comment
Item #70	See Comments
Item #71	See Comments
Item #72	Standard Comments
Item #73	See Comments
Item #74	See Comments
Item #75	No Comment
Item #76	Standard Comment
Item #77	Standard Comment
Item #78	Standard Comment
Item #79	See Comments
Item #80	No Comment (Interpretation)
Item #81	See Comments
Item #82	No Comment
Item #83	See Comments
Item #84	Standard Comments
Item #85	Standard Comments
Item #16 (Revised)	See Comments

CEB/vw

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jablon
Zoning Commissioner

May 27, 1987

Jeffrey H. Scherr, Esquire
Kramon & Graham, P.A.
Sun Life Building, Charles Center
Baltimore, Maryland 21201

RE: Case Nos. 87-48-A, 87-196-SPH, and
87-213-XA
The Halle/Harlan Company Property

Dear Mr. Scherr:

Your letter of May 1, 1987 to Arnold Jablon, Zoning Commissioner, has been referred to me for reply. You have requested confirmation that the use of the existing residence at 6 Slade Avenue for a recreational social center (community building) exclusively for the residents of the condominium would not require any form of zoning approval (emphasis on a special exception requirement and R.T.A. requirements).

This particular question came up at the November 13, 1986 C.R.G. meeting wherein I indicated as a response to questions by yourself and Rob Hoffman that I was fairly certain that Mr. Jablon would take the direction of the Board of Appeals of Baltimore County in Case No. 84-52-X, through the Maryland Court of Special Appeals, and interpret that a change in a building use only with no apparent exterior changes would not be subject to the R.T.A. requirements. I have confirmed that a special exception would not be required with Mr. Dyer and Mr. Jablon, provided that the use is limited to the residents of the condominium, and that the R.T.A. requirements in Section 1801.1.B.1.b, BCRZ, would not apply, provided that there is no exterior change proposed to the building from the way it existed as a single family dwelling.

The required change of occupancy permits and final revised site plan would have to be approved by this office, provided that the special exception and variances in Case 87-213-XA are granted.

Very truly yours,

W. Carl Richards, Jr.
W. CARL RICHARDS, JR.
Zoning Coordinator

WCR,Jrkbb

cc: John B. Howard, Esquire



Dennis F. Rasmussen
County Executive

LAW OFFICES
KRAMON & GRAHAM, P. A.
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MARYLAND 21201
(301) 752-6030
TELECOPIER
(301) 539-1269

BEL AIR OFFICE
112 SOUTH MAIN STREET
BAL AIR, MARYLAND 21014
(301) 879-5040
(301) 838-9095
TELECOPIER
(301) 828-9298

May 1, 1987

Arnold E. Jablon, Esquire
Zoning Commissioner
for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland, 21204

Re: Six Slade Avenue

Dear Mr. Jablon:

As you are aware, The Harlan Company of Maryland, Inc. owns a six-acre tract known as Six Slade Avenue and plans to construct a multi-story luxury condominium building on the property. Situated on the property is a neo-Georgian brick mansion, which was the residence of the prior owner. This structure is in good condition and has, in fact, been selected as the 1987 Symphony Decorator's House.

The Harlan Company very much wants to retain this gracious old house and believes that, if incorporated into the plans for the project, it will be ideally suited for use as a recreational social center, to be used exclusively by the condominium owners. Such use is allowed pursuant to Section 1801.1.B.1.c.10 of the Baltimore County Zoning Regulations. I should note that there will be no structural changes made to the building, but that this three-story building is somewhat taller than thirty-five feet.

On April 26, 1987, I spoke with Mr. Carl Richards about use of the house as the community building described above. Based upon the information set forth above, Mr. Richards informed me that it will not be necessary to file a Petition for Special Exception to use the building for the purposes stated, and also that the fact that the house is above thirty-five feet in height does not necessitate that The Harlan Company secure any form of zoning approval. I would very much appreciate it if you would confirm Mr. Richards' position with respect to these matters.

MAY 5 1987
ZONING OFFICE



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

17 October 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Jeffrey H. Scherr, Esq.
Kramon & Graham, PA
Sun Life Bldg
Charles Center
Baltimore, Maryland 21201

John B. Howard, Esq.
Cook, Howard, Downes & Tracy
210 Allegheny Ave.
P. O. Box 5517
Towson, Maryland 21204

Re: Item No. 111

Gentlemen:

Pursuant to Mr. Howard's letter to me dated 14 October 1986 and with Mr. Scherr's response dated 16 October 1986 in hand, I will grant the postponement requested. However, it will be the responsibility of Mr. Howard's client to bear the cost of advertisement and posting incurred as a result of this postponement. I would like to schedule this for December 8 or 10. Please let me know which date is acceptable to you both. If I do not hear from you by Wednesday, October 22, I will arbitrarily set this matter for hearing.

Sincerely,

Arnold Jablon

AJL/aj

LAW OFFICES
KRAMON & GRAHAM, P. A.
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MARYLAND 21201
(301) 752-6030
TELECOPIER
(301) 539-1269

October 16, 1986

HAND DELIVERED

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office of Zoning
and Planning
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petitions for Variances/Item III
Petition for Special Hearing
Case No. 87-196-SPH
The Harlan Company of Maryland, Petitioner

Dear Mr. Jablon:

I am in receipt of Mr. Howard's letter dated October 14, 1986 requesting a rescheduling of the Petition for Variance from November 24, 1986 at 11:45 a.m.

Unfortunately, we are not in a position to accommodate Mr. Howard. Our client is most anxious to move ahead with this project and, therefore, respectfully requests that the matter be heard as scheduled. For the record, we note that the appearance of Robert A. Hoffman, Esquire is also entered in this matter.

Sincerely,

Jeffrey H. Scherr
Jeffrey H. Scherr

JHS/de
cc: John B. Howard, Esquire

RECEIVED
OCT 17 1986
ZONING OFFICE

In Re: The Harlan Company of
Maryland, Inc.
Case No. 87-196-SPH

BEFORE THE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

ORDER

IT IS THIS 30 day of July, 1987, is and hereby

ORDERED that:

The above captioned matter shall be dismissed for lack of prosecution or for failure to proceed or for failure to pay costs, such dismissal to be without prejudice.

Arnold E. Jablon
Zoning Commissioner of
Baltimore County

cc: People's Counsel
Jeffrey H. Scherr, Esq.
John B. Howard, Esq.

ORDER RECEIVED FOR FILING
Date 7-30-87
By 5-3-87

1. December 31, 1957, and recorded among the land records of Baltimore County in Liber 3292, Folio 242.
2. February 8, 1960, and recorded among the land records of Baltimore County in Liber 3665, Folio 461.

OFFICE COPY

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Peter Max Zimmerman
Peter Max Zimmerman

AJmed

87-196-SPH

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: October 9, 1986

Posted for: Special Survey

Petitioner: Fox Harlan Company of Maryland, Inc.

Location of property: 715' of Shade Run, T14 77' E. of Riverbourn
Rd. (6. Stader Ave.)

Location of Signs: In front of "6 Shade Run, approx 102.5' W' of
Parle Virginia Ave.

Remarks: _____

Posted by: E. J. Asato Date of return: October 10, 1986
Signature

Number of Signs: 1

LEGAL NOTICE
PETITION FOR SPECIAL HEARING
3rd Election District
Case No. 87-106-SPH

[illegible]

CERTIFICATE OF PUBLICATION
81440

Pikesville, Md., Oct. 22, 1986
 CERTIFY, that the annexed advertisement
 d in the NORTHWEST STAR, a weekly
 blished in Pikesville, Baltimore
 land before the 12th day of
 Nov. 1986
 blication appearing on the
 22nd day of Oct., 1986
 ublication appearing on the
 day of , 19
 blication appearing on the
 day of , 19

THE NORTHWEST STAR

Phyllis Holberg
Manager

Cost of Advertisement \$28.00

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 23 1986
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
October 23 1986

THE JEFFERSONIAN,

Husan Sanders O'Brien

Publisher
Cost of Advertising

33.00

Jeffrey H. Scherr, Esquire
Kramon & Graham, P.A.
Sun Life Building, Charles Center
Baltimore, Maryland 21201

September 26, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
N/S of Slade Ave., 714.77' E of Reisterstown
Rd. (6 Slade Ave.)
3rd Election District
The Harlan Company of Maryland, Inc. - Petitioner
Case No. 87-196-SPH

TIME: 1:30 p.m.
DATE: Wednesday, November 12, 1986
PLACE: Room 301, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

JRE COUNTY, MARYLAND
OF FINANCE - REVENUE DIVISION
ILLANEOUS CASH RECEIPT

No. 025893

DATE 5/21/96 ACCOUNT 01-615-000

AMOUNT \$ 100.²⁰

RECEIVED BY CATHERINE M. KRAVOSKI

FOR TICAL 82 HALLEY PRIDEITY

B 0109*****1300014 3228F

VALIDATION OR SIGNATURE OF CASHIER

2-11-88

